IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.405 OF 2006

WITH

CIVIL APPLICATION NO.490 OF 2006

Gaurishankar Singh s/o Umashankar Singh & Anr. ...Appellants

Versus

Rukminibai Chougule & Anr. ...Respondents

.....

Mr.V.R.Tripathi for Appellants.

Mr.Vijay Thorat, Sr.Counsel with Mr.A.R.Pande for Respondent No.1.

.....

CORAM: A.M.KHANWILKAR, J.

JUNE 27, 2006.

P.C.

1. Heard. Arguable questions are raised.

2. Admit. Mr.Pande waives notice for Respondent No.1.

3. Ad-interim relief in terms of prayer clause (a) of the Civil Application.

4. It is, however, made clear that this interim relief will not preclude the Corporation from proceeding against the suit structure in accordance with law. It is further made clear that pendency of this Appeal will not preclude the Trial Court to proceed with the Suit on its own merits in accordance with law.

5. Civil Application stands disposed of.

A.M.KHANWILKAR, J.